Governments SANBAG Working Together

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TRANSPORTATION MEASURE I

•San Bernardino County Transportation Commission •San Bernardino County Transportation Authority
•San Bernardino County Congestion Management Agency •Service Authority for Freeway Emergencies

Minute Action

AGENDA ITEM: 20

Date: April 1, 2009

Subject: SB375 Activities Update and SANBAG Deadlines

Recommendation:* Receive report.

Background: SB 375 has been described in detail in past meetings. The Southern California Association of Governments' (SCAG's) draft work program and schedule for SB375 implementation is attached to this item.

The California Air Resources Board (CARB) has appointed a Regional Targets Advisory Committee (RTAC) that will meet through mid-2010 to advise CARB on greenhouse gas (GHG) emission reduction targets for each of the regions of California. Southern California representatives include Supervisor Linda Parks representing SCAG, Art Leahy of the Orange County Transportation Authority (and newly appointed Executive Director of LA County Metro), Richard Katz of the Metro Board of Directors, and Greg Devereaux, City Manager of Ontario, representing the League of Cities. Staff is monitoring these meetings and will also participate in a technical committee that supports the RTAC.

Regionally, SCAG is developing a "straw man" Sustainable Communities Strategy (SCS) that would concentrate development within transportation corridors while honoring county population, housing, and jobs totals. It is intended to enable the region to assess the level of GHG reduction possible through such a strategy, and provide a basis upon which to estimate targets for subregional SCS's to be developed by subregional and transportation agencies in cooperation with their local governments.

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Approved
Board of Directors

Date: _____

Moved: *Second:*

In Favor: *Opposed:* *Abstained:*

Witnessed: _____

brd0904c-ty
Attachments: brd0904c1-ty; brd0904c2-ty

Cleanup legislation to address grandfathering of sales tax Expenditure Plan projects, deadlines for preparation of the next Regional Housing Needs Assessment (RHNA), funding for SCS preparation, and California Environmental Quality Act streamlining is still under discussion. SCAG is seeking commitments from subregions and transportation agencies by October 1, 2009, to accept delegation to prepare both a subregional SCS and the subregional component of the RHNA. This may be sooner than a state commitment to provide funding can be obtained, and consequently most subregions are deferring judgment at this time.

Through SCAG's Plans and Programs Technical Advisory Committee, staff will be advising SCAG staff and providing technical review as SCAG prepares the initial "straw man" SCS. Staff will continue to update the Plans and Programs Policy Committee on SB375 developments as they occur, leading to a recommendation in August or September regarding acceptance of delegation.

Financial Impact: This item has no impact on the approved SANBAG Fiscal Year 2008-2009 Budget.

Reviewed By: This item has had no prior policy committee review.

Responsible Staff: Ty Schuiling, Director of Planning and Programming

SB 375 Approach and Process Description

WORKING DRAFT

Introduction

This paper describes a preliminary approach and summary methodology for the implementation of SB 375 in the Southern California Association of Governments (SCAG) region, emphasizing the sub-regional role. Included is a statement of goals, a process overview, and specific proposed steps. The sole purpose of this overview, at this point, is to prompt discussion and seek regional consensus on the approach by fall of 2009.

SB 375 calls for the integration of transportation, land use, and housing planning, and also establishes the reduction of greenhouse gas (GHG) emissions as one of the overarching goals for regional planning. SCAG, working with the County Transportation Commissions (CTCs) and sub-regions, is responsible for implementing SB 375 in the Southern California region. Success in this endeavor is dependant on collaboration with a range of public and private partners throughout the region.

The statute describes an elaborate process with several required milestones. Nevertheless, the regional Metropolitan Planning Organization (SCAG) is afforded substantial discretion in determining the conduct of the program. This approach, and its companion detailed methodology and schedule, lay out a way that those choices can be approached for the SCAG region in order to pursue a successful first cycle of SB 375 implementation. To be clear, **the approach described herein lays out how SCAG can successfully exercise its discretion under the statute, as opposed to focusing on compliance requirements.** SCAG staff has prepared and circulated material previously that provides a detailed description of what the bill requires. Briefly summarized here, SB 375 requires SCAG as the Metropolitan Planning Organization to:

- Prepare a Sustainable Communities Strategy (SCS) as part of its Regional Transportation Plan. The SCS will meet a State determined GHG emission reduction target if it is feasible to do so.
- Prepare an Alternative Planning Strategy that is not part of the RTP if the SCS is unable to meet the target.
- Integrate planning processes, in particular assuring that the Regional Housing Needs Assessment is consistent with the SCS.
- Allow for sub-regional strategy development, and prepare a framework and a set of guidelines to guide the sub-regional effort.
- Develop a substantial participation process involving all stakeholders.

Note that the approach description that follows is not laid out in chronological or narrative format. Rather, it describes the various issue areas and key decisions under SB

375. The summary schedule in this description and the detailed schedule that accompanies it will be helpful in understanding the process in chronological order.

SCAG Region Implementation Goals

- Achieve the regional GHG emission reduction target for cars and light trucks through the SCS.
- Fully integrate SCAG's planning processes for transportation, growth, land use housing, and the environment. Accomplish integration that goes beyond procedural requirements, but that also results in regional plans that are mutually supportive of a range of goals.
- Build trust by providing an interactive and participatory process for all stakeholders. Provide, in particular, for the robust participation of sub-regions and CTCs in implementing sub-regional provisions of the law.
- Develop strategies that incorporate and are respectful of local and sub-regional priorities, plans, and projects.
- Comply with the provisions of SB 375.

Process

The process for implementing SB 375 in the region includes the following components:

A. Program Setup - Review and Discussion

This approach and process overview is being prepared and circulated at this time in order to prompt discussion. SCAG intends to finalize an approach in approximately September 2009. It is necessary to bring these deliberations to a close at that time in order to fully input to the State process on developing GHG emission reduction targets, and in order to finalize the framework for sub-regional activities.

B. Regional Target

SB 375 requires the development of regional GHG emission reduction targets for 2020 and 2035. At this point, SCAG is proceeding based on a reasonable, though tentative, estimate of what the region's GHG emission reduction target will be for 2020. This estimate is based on the statewide target of five million metric tons of CO2 equivalent (5 MMCO2E) included in the AB 32 Scoping Plan approved by the Air Resources Board (ARB) on December 11, 2008. As roughly half the State, both in terms of population and emissions, we can assume an approximate target of 2.5 MMCO2E for 2020.

B1. RTAC

The Regional Targets Advisory Committee (RTAC) was appointed by ARB on January 23, 2009. The RTAC's mandate, under the statute, is to issue a report on factors and methodologies to be used in the development of the target. Ventura County Supervisor

Linda Parks (SCAG's Regional Council member) represents SCAG on this committee. SCAG Executive Director Hasan Ikhrata also attends the RTAC's meetings. Other participants from our region include representatives from the Los Angeles County Metropolitan Transportation Authority, the Orange County Transportation Authority, the South Coast Air Quality Management District, the City of Los Angeles, the City of Ontario, and the University of Southern California. SCAG intends to coordinate with these individuals. SCAG's anticipated participation and interest in the RTAC process is, at this time, twofold: 1) to maintain a target for the region and State that is ambitious but reasonably achievable. We believe that this goal is best supported by maintaining the estimated target of 5 MMTCO2E established in the Scoping Plan; and 2) to establish a reasonable and equitable baseline against which targets will be measured (discussed further below).

B2. Proposed/estimated regional target

The law allows for a region to propose a target prior to June 2010. SCAG intends to utilize this option, and, in order to do so, SCAG will prepare a preliminary version of its 2012 Regional Transportation Plan (RTP) growth forecast prior to the June 2010 deadline. The forecast will follow the process used in previous cycles, including the development of a technical trend, extensive local and sub-regional input, and the development of a baseline forecast incorporating local input. The proposed regional target will be based on the aggregated local plans and development in process that reflect the region's work on Compass Blueprint and similar "smart growth efforts" over the past several years.

B3. Final Regional Target

The final regional emission reduction target will be issued by the ARB in September 2010.

C. Sub-regional process

SCAG will encourage active sub-regional and CTC participation in its SB 375 activities up to and including developing the SCS as described in the law. The law calls for the development of a framework and a set of guidelines to set the parameters for the sub-regional SCS/Alternative Planning Strategy (APS). As part of the regional framework SCAG intends to propose sub-regional emission reduction targets for use in the sub-regional strategy development if needed. These targets are necessary in order to ensure that strategies developed at the local and sub-regional level can, when aggregated, allow the region to meet its target.

At this time, it is not certain how many sub-regions, if any, will prepare the sub-regional SCS as allowed under SB 375. Several sub-regions likely will not do so, due to resource or capacity limitations. As such, the regional approach must be prepared to accommodate a mix of sub-regions preparing the SCS in some places and SCAG developing strategies in collaboration with the sub-region in other places.

C1. Sub-regional targets

Sub-regional targets are necessary in order to allow that, when aggregated, the regional strategy can achieve the regional target. Shares of the regional target will be expressed in terms of GHG emission reductions, either in absolute terms or per capita. It is imperative to develop targets that can be aggregated such that they contribute to the region attaining the target. The Preliminary Strategy ("Conceptual Land Use Scenario"), as further described in Section D below, will be the technical basis for initial sub-regional targets.

Any target developed at this stage will be tentative, and will be subject to intensive discussion between and among the 14 sub-regions. Sub-regional targets are to be considered as a goal for each sub-region in approaching its own planning process, in that each sub-region should endeavor to achieve the target, if it is possible to do so.

C2. Sub-regional role

Those sub-regions that develop a Sustainable Communities Strategy (SCS) will do so with the intent of achieving the sub-regional share of the regional emission reduction target. This strategy will consist of all the factors identified in the law, focused on a land use pattern and growth distribution, paired with existing and planned transportation infrastructure.

The precise sub-regional role will become further defined based on discussions with the sub-regions prior to September 2009. It is anticipated that the sub-regions will serve as a convener/facilitator among its member jurisdictions and other stakeholders within the sub-region's planning area. The sub-regions will host and facilitate workshops for SCS development, will collaborate with SCAG on developing an information base for use in planning tools, and will seek consensus on an SCS for its area. The sub-region's governing board will adopt an SCS prior to submittal to SCAG. The sub-region's role includes complying with terms established in the sub-regional framework and guidelines.

C3. SCAG role in sub-regional process

SCAG will assist the sub-regions by making available technical tools for scenario development. SCAG will compile resultant regional strategies, measure the results, and submit a regional SCS to ARB. These roles and options for SCAG's involvement in the sub-regional process will be further developed and negotiated with sub-regions as part of the framework and guidelines preparation. In addition, the framework will address intraregional land use, transportation, economic, air quality and climate policy relationships as required in SB 375. Upon submittal of sub-regional strategies, SCAG will compile and integrate those strategies with the regional SCS for submittal to ARB. SCAG will assure that the sub-regional process is consistent with the overall regional approach established in the framework and guidelines.

C4. SCAG role without sub-regional process

In sub-regions that do not prepare an SCS, SCAG will prepare the strategy. In these cases, SCAG, in collaboration with the sub-region, will convene iterative workshops, engage in scenario planning exercises, and develop and vet alternatives that lead to the best growth distribution, transportation network, and set of policies for the sub-region. In so doing, SCAG will work directly with cities, counties, CTCs, and stakeholders to identify opportunities to reduce GHG emissions.

C5. CTC role in sub-regional process

SB 375 states that sub-regions preparing an SCS and/or APS may collaborate with the CTC in their county. SCAG encourages full and active participation of CTCs in order to best match the land use and transportation components of the sub-regional strategy.

C6. Sub-regional commitment and timeline

SCAG will require the commitment by approximately September 2009 for any given sub-region wishing to develop its own strategy. The regional guidelines will establish a detailed timeline for sub-regional work to proceed. The core component of the sub-regional effort will consist of an interactive, consensus building process to develop the SCS. This is anticipated to begin in October 2009.

D. Preliminary Strategy(ies) ("Conceptual Land Use Scenario")

SCAG can begin the process of compiling the components of a conceptual scenario using currently available planning scenarios as a starting point. SCAG developed several growth distribution scenarios for the 2008 RTP and its associated Programmatic Environmental Impact Report (PEIR). SCAG will use this past experience and lessons learned as the starting point in the process to develop a Conceptual Land Use Scenario for informational purposes. Initial scenarios prepared at this time serve two purposes, 1) to demonstrate the range of possible reductions from land use as one element of an SCS, and 2) to establish a technical basis for regional and sub-regional targets.

Any scenario developed for use in the eventual regional SCS will be considered draft and will be subjected to numerous rounds of review, input, and revision. At this time SCAG intends to develop a scenario that will demonstrate the extent of GHG reductions possible through an aggressive, though feasible, regional strategy. The scenario developed at this stage will be available in March, and will use growth scenarios developed for the 2008 RTP and PEIR as a starting point. The preliminary scenario will not redistribute growth across county lines, and will shift growth at the local level by a maximum of 10%. If necessary, additional scenarios can be developed.

E. Sustainable Communities Strategy

The SCS is the centerpiece of SB 375. It calls for eight elements, described in statute, and is required to be part of the RTP.

E1. Major Components of SCS

In essence the SCS is built around three components, that would typically be included in an RTP, and that work in concert to reduce GHG emissions. These components are

- Growth Distribution and Land Use

The growth distribution, for SCS purposes, is the adopted growth forecast used for the RTP. SB 375 requires that this forecast be developed in such a way that it incorporates policy elements, or interventions, that reduce trips and emissions compared to the baseline scenario.

- Transportation Network

The transportation network consists of the existing and planned transportation projects. SB 375 requires that these projects be "consistent" (with some exceptions based on grand fathering provisions in the law) with the SCS. In other words, the development of the future transportation network should proceed in such a way that it serves the anticipated growth strategy and distribution reflected in the SCS.

- Transportation Policies

In addition to transportation projects, the RTP contains policies such as Transportation Demand Management (these include ride sharing, smart shuttles, preferential parking, etc). Theses policies can be layered with the other two major elements of the SCS in order to achieve additional reductions. It is anticipated that TDM will be of particular use in locales that do not have substantial existing or planned transit infrastructure.

E2. Sustainable Communities Projects (CEQA Streamlining Provisions)

The SCS will reference the statutory provisions for Sustainable Communities Projects that may access California Environmental Quality Act (CEQA) streamlining provisions. In addition, the SCS will identify specific locations where Sustainable Communities Projects may be located.

E3. Transportation Provisions

SB 375 creates an implicit requirement that transportation projects be consistent with the newly developed SCS. At the same time, a number of projects are grandfathered, meaning they do not need to be consistent. While the grandfathering provisions are

clearly spelled out in the law, making these provisions operational in the SCS and RTP development processes will be difficult.

Many transportation projects submitted for the 2012 RTP will not be covered by grandfathering provisions, and therefore, it will be necessary to determine and define consistency with the SCS. SCAG must work with CTCs to create a workable definition of consistency and a process for evaluating projects, either individually or as part of a larger system. This may involve SCAG providing guidance to the CTCs for their own project selection processes. Consistency will likely be based around broad principles such as a transportation project provides service to the projected growth and development pattern embedded in the SCS. It should be clearly noted that, at this stage, it is unclear whether SB 375 requires the consistency evaluation of individual projects as opposed to the whole transportation network or a subset of the network. SCAG is hopeful that this issue can be clarified as part of the discussions of the Regional Targets Advisory Committee described above.

E4. Alternatives

As with the 2004 and 2008 RTP and PEIR processes, the development of the growth distribution for the SCS will be compiled to produce a range of alternatives based on the relative aggressiveness of land use and related policies. These alternatives will be integrated through the RTP development and PEIR process for the 2012 RTP. The recommended or preferred alternative will be selected based on the ability to meet the GHG emission reduction target and on feasibility.

F. Methodology

Methodologies for SB 375 implementation consist of the following elements, which are described briefly below. A more detailed description of these elements has been prepared by SCAG staff and will be circulated for review and discussion (attached here as appendix), over the same time frame for finalizing the approach and process.

F1. Framework

SB 375 methodologies exist in tandem with outreach, procedures, and the iterative scenario development process described in this paper. The purpose of the methodologies is to provide a sound and usable analytical framework for planning and scenario development, taking into account the need for a broad range of parties to be meaningfully engaged.

F2. Methodology Overview

The regional methodology for SB 375 processes relies on measuring and analyzing the emissions impacts of the regional SCS, which is composed of a combination of regional and sub-regional strategies. In order to accomplish this overarching requirement, SCAG must pursue enhancements to existing processes, data, and methodologies used for

growth forecasting and RTP development. These improvements include (but are not limited to) new tools described below, additional public process based around workshops, updated data sets particularly for General Plans, and newly established sub-regional strategy development procedures.

F3. Assumptions

Assumptions include the description of the base year, baseline, and various inputs to the transportation model and other technical tools. Assumptions are distinct from actual elements of the strategy, but will impact the results in terms of emission reductions.

Base year and baseline are the most critical assumptions for SB 375 purposes. The base year for the 2012 RTP will be 2008. From this base year, a baseline of growth forecast and associated land use and transportation projects must be first developed.

Assumptions relative to the policy scenario (SCS) would be developed based on:

- existing general plans (reflecting Blueprint-type policies and projects);
- additional SB375 Blueprint-type projects (not reflected in currently adopted general plans, but anticipated by local governments);
- future transportation investments (not in baseline);
- RHNA; and
- regional strategies (transportation demand management (TDMs); pricing, etc.)

F4. Data

Extensive data is required for strategy development and modeling under SB 375. Much of this data is required for SCAG's typical process in RTP, RHNA, and growth forecast development, including population, employment and housing. For SB 375 purposes, it is of additional importance to have full and up-to-date information on existing zoning, land use, general plans, resource areas, and Compass Blueprint projects.

F5. Technical tools

For SB 375 purposes, SCAG intends to use both existing tools, with several enhancements, and newly developed tools. SCAG currently uses a Trip-Based Regional Transportation Demand Model and ARB's EMFAC model for emissions purposes. For purposes of identifying additional emission reductions associated with smaller scale land use strategies, SCAG will conduct analysis using a 4-D tool. SCAG is committed to developing two additional tools – a Land Use Model and an Activity Based Model – to assist in strategy development and measurement of outcomes under SB 375.

F6. Scenario Planning Tool

In addition to modeling tools, which are used to measure results of completed scenarios, SCAG will create a scenario planning tool, which is intended to provide real-time

feedback in a workshop setting as scenarios are being created with jurisdictions and stakeholders. The GIS-based tool developed will be made available to sub-regions and local governments for their use in sub-regional strategy development. This tool is intended to accomplish the following

1) help end users, including planners, policy makers, and the public visualize their thinking process as related to various land use strategies, and see the effects of certain policy choices "on the ground";

2) produce instant results estimating VMT and emission reductions based on combinations of policies related to land use (density, intensity, etc), transportation infrastructure, and transportation policy.

3) be scalable to various geographic levels, and capture/maximize the GHG benefits at much small geographic areas as result of community design, mode choice changes, and any other decisions made by stakeholders in a given location.

F7. Calculating VMT and GHG Emissions Reductions

SCAG will use the tools described above in combination to estimate VMT and GHG emissions reductions.

F8. Additional Reports / Impact Analysis

- Economic Impact Analysis

As in the previous RTP development process, SCAG will conduct and provide an economic impact analysis for the RTP and its major policy components. For the 2012 RTP and SCS, the economic impact analysis/report will focus on the regionwide employment, income, economic output, and productivity impacts from major policy components.

- Environmental Justice Analysis

An EJ analysis/report has been prepared for each RTP since 1988. The goal of the Environmental Justice Analysis is to ensure that RTP and its major policies will not cause disproportionate impacts, both negative and positive, to minorities, low income people, and other EJ populations at a range of geographic levels.

- Environmental Impact Report

As required by CEQA, a Programmatic Environmental Impact Report will be prepared on the 2012 RTP, including an analysis of the potential impacts of the Sustainable Communities Strategy.

G. Outreach process

SCAG will create, as required by the law, amendments to its Public Participation Plan in order to incorporate the workshops and hearings called for.

SCAG's outreach approach will include the following additional elements:

G1. Forecast development and local input

As in prior RTP planning cycles, SCAG will conduct extensive outreach in the development of a baseline and regional policy forecast. This outreach will include opportunities for each local jurisdiction to review data, make corrections, and to inform SCAG and sub-regional staff on local circumstances affecting growth.

G2. Outreach team

SCAG will convene and facilitate a series of outreach teams comprised of elected officials and experts. One team will be created for each County, as well as a regional umbrella team. The role of this team will be to work with sub-regions, cities, counties and stakeholders to promote dialogue on the development of strategies.

G3. Stakeholder groups

SCAG will convene independent groups for the purpose of providing a consistent flow of information to interested parties. At this time, SCAG intends to form a business/private sector roundtable for this purpose, and other groups may be considered as need arises.

G4. Presentations/dialogue on request

SCAG will make every attempt to give presentations and attend meetings with members and stakeholders throughout the region.

G5. Scenario planning/Workshops

The development of an SCS requires optimization of three major variables – the growth and development pattern, the transportation network, and transportation policies. As such, SCAG intends, in convening workshops as required in the statute (and above and beyond as necessary), for scenario planning exercises that will demonstrate the interplay and potential results of policy changes in each of these three areas. This will lead to tentative strategy decisions as an outcome of each workshop, and will prompt an iterative process that allows for alternative strategies to be developed, tested, and adjusted based on the concerns of participants.

H. Schedule

A detailed schedule has been prepared, and will be circulated as part of the review and discussion process on the overall approach. The major milestones embedded within that schedule are:

PHASE I – PROGRAM SEUP

- 9/30/2009 – RTAC's report due to ARB
- 9/2009 – Finalization of SCAG SB 375 approach
  - Framework and guidelines
  - Methodologies
  - Approach
  - Public Participation Plan
- 9/2009 Preliminary Growth Forecast to inform regional target

PHASE II – GREENHOUSE GAS TARGET DEVELOPMENT

- 10/2009 - SCAG holds at least one public workshop
- 10/2009 to 6/2010 – Workshops to develop proposed regional target
- 9/30/2010 - ARB issues final GHG targets

PHASE III – DRAFT SCS/RTP DEVELOPMENT

- 6/2010 to 5/2011 – 16 workshops (by county) to obtain input for the draft SCS/APS
- 11/2011 - release draft RTP/SCS for public review

PHASE IV – FINAL SCS/RTP DEVELOPMENT AND APPROVALS

- 6/2011 to 2/2012 - 3 public hearings and 6-12 informational meetings for elected officials
- 4/2012 – Regional Council adopts RTP/SCS, and APS if necessary
- 6/2012 – ARB review

APPENDIX

SB 375 TECHNICAL METHODOLOGIES

WORKING DRAFT

SUB-REGIONAL SCS DEVELOPMENT

As set forth in SB 375, SCAG will develop Framework and Guidelines for sub-regional SCS development. The discussion below is intended to provide a starting point for dialogue with sub-regions and stakeholders relative to the sub-regional Framework and Guidelines.

Framework

The framework for developing sub-regional SCSs and greenhouse gas (GHG) reduction targets considers analytical methods and participatory processes. As described in more detail below, an overall framework and process for developing draft sub-regional SCSs will consider:

- Methodologies
- Sub-regional Plan/SCS
- Single Regional Model Run
- Iterative Feedback Between Regional Model Run and sub-regional Targets
- Stakeholder Participation
- Schedule

Methodologies

SCAG has in place existing methodologies for RTP development associated with growth forecasts and distribution, transportation network development, and transportation and emissions modeling. The provisions of SB 375 integrate these and other planning functions (e.g. RHNA) and require that SCAG revisit and update these methodologies as applicable in order to assess the implications of key policy options and develop an SB 375 compliant RTP.

Specifically, in order to propose regional and sub-regional GHG targets, develop a regional SCS based on aggregated sub-regional SCSs, and analyze the emissions impacts of various SCS scenarios, there are a number of assumptions, data, technical tools, and analytical methodologies that need to be refined or developed. The development of these methodologies will be part of the discussions and outreach process as described by the Public Participation Plan.

Assumptions

In order to analyze the 2020 GHG reductions attributable to an SCS, assumptions relative to land use, housing, transportation projects, and regional policies must be made. This includes determining what constitutes baseline growth and projects versus the growth and projects associated with Blueprint strategies and for which credit can be taken in an SCS. The base year for the 2012 RTP will be 2008. From this base year, a baseline of growth forecast and associated land use and transportation projects must be first developed. The methodology for developing these assumptions is to identify for each jurisdiction within a sub-region:

- existing zoning;
- build-out in 2020 without Blueprint strategies; and
- programmed transportation projects (RTIP projects)

Assumptions relative to the policy scenario (SCS) would be developed based on:

- existing general plans (reflecting Blueprint projects);
- additional SB 375 Blueprint projects (not in general plans);
- future transportation investments (not in baseline);
- RHNA; and
- regional policies (transportation demand management (TDMs); pricing, etc.)

Other relevant assumptions for analyzing GHG emissions include auto operating costs (including fuel price), employment, households, etc.

Definition of Baseline

Defining an appropriate baseline, against which emission reduction strategies will be measured, will be of critical importance. The baseline should account for likely conditions in the absence of policy intervention, allowing the region and its jurisdictions to take credit for steps already begun that reduce trips and emissions. The baseline for the 2012 RTP will be a future projection based on extrapolation of a trend established from recent years. SCAG is in the process of preparing analytical work for the purpose of determining the outcomes of the baseline scenario, as well as build-out of existing General Plans. This current effort will assist SCAG in refining our understanding of baseline-related issues and in recommending the most appropriate baseline for our region.

Data

Relevant data for growth forecasting, scenario development, and transportation model inputs include:

- 2000 Census + annual ACS
- population (DOF)
- employment (EDD)
- existing land use
- existing zoning
- general plans
- additional Blueprint projects
- base year transportation inventories
- baseline transportation inventories

SCAG's integrated growth forecast process, along with the SB 375 outreach requirements to be set forth in the updated Public Participation Plan, will ensure these data are up-to-date and accurate. This process is based on comprehensive input from local jurisdictions and other relevant stakeholders.

Technical Tools

Existing Tools

Trip-Based Regional Transportation Demand Model

Until such time that activity-based models are developed and validated to be used for RTP purposes, SCAG's existing trip-based regional transportation demand model represents the current state-of-the art. Though SCAG's existing trip-based model is the most comprehensive in use, SCAG has a work plan to institute model improvements and enhancements over the next

two years. The major efforts include updates to the mode choice model, heavy duty truck model, and transportation networks.

The trip-based regional transportation demand model includes four steps:

- Trip Generation - how often to people travel; how many workers are drawn to a given employment center
- Trip Distribution - where persons travel to work, school or shopping
- Mode Choice - how many persons drive alone, share a ride or take transit
- Trip Assignment - what routes travelers use and how much congestion results

The model calculates VMT, speeds, and other performance variables at the transportation analysis zone (TAZ) level. The TAZ system is consistent with both the 2000 census geography and existing sub-regional TAZs. There are 4,109 TAZs in the SCAG region (compared to 3,310 census tracts in the region).

4-D Analytical Tool

To account for travel behavior below the TAZ level of analysis used in the trip-based regional transportation model, the 4-D analytical tool is used to calculate the effects of land use on auto ownership and household trip-making at small geographic areas. 4-D refers to: density (households per acre); diversity (jobs/housing ratio); design (pedestrian environment factor); and destination (regional transit accessibility). Adjustment factors based on the 4-D analysis can be applied to the regional model outputs prior to running the emissions model. The separate step applying the 4-Ds procedure is necessary to estimate non-motorized trips (walk and bike) within TAZs, which will help demonstrate reduced GHG emissions.

Scenario Planning Tools

One of the innovative tools in SCAG's Compass Blueprint Suite of Services available to member jurisdictions is a land use scenario building tool. This tool is an ArcGIS-based modeling and evaluation application that enables visualization and evaluation of growth scenarios. SCAG is currently updating this tool, including integration with the 4-D analytical tool, with the goal of providing a comprehensive yet easy-to-use method for local jurisdiction scenario planning and GHG/VMT impact analysis. The tool is intended to be used in a workshop setting as scenarios are being created with jurisdictions and stakeholders. This tool is intended to accomplish the following:

1) Help end users, including planners, policy makers, and the public to visualize their thinking process as related to land use strategies;

2) Determine approximate real-time results in emission and VMT reductions based on combinations of policies related to land use (density, intensity, etc), transportation infrastructure, and transportation policy.

3) Be scalable to various geographic levels, and capture/maximize the GHG reduction benefits at small areas as result of community design, mode choice changes, and any other decisions made by stakeholders in a given location.

EMFAC 2007

The ARB's EMFAC model (short for Emission FACtor) is a computer model capable of estimating both current year, as well as back-cast and forecasted inventories for calendar years 1970 to 2040. EMFAC estimates the emission rates of 1965 and newer vehicles, powered by gasoline,

diesel or electricity. Emissions inventory estimates are made for over one hundred different technology groups and are reported for ten broad vehicle classes segregated by usage and weight.

EMFAC calculates the emission rates of HC, CO, NOx, PM, lead, SO2 and CO2 for 45 model years for each vehicle class within each calendar year, for twenty four hourly periods, for each month of the year, for each district, air basin, county and subcounty in California. EMFAC can report the gram per mile emission rates of a single technology group or the ton per day inventory for the entire 28,000,000 vehicle California fleet.

To determine regional and air basin emissions, SCAG runs the ARB's EMFAC model using the outputs from the trip-based regional transportation demand model.

New Tool Development

Land Use Model

Land use models are intended to predict economic activity over a geographic space, such that land uses associated with economic activity can also be predicted. The effects of transportation policies and land use policies interact with feedbacks in an integrated transportation and land use model set. The development of a land use model would replace the 4-D tool described above and provide for more refined analyses of SCS scenarios. SCAG is in the process of developing a land use model, as are other MPOs and entities within the State.

Activity-Based Model

Activity-based travel demand models are based on the concept that the demand for "daily-life" activities produces the demand for travel. This approach predicts passenger trip travel demand based on assumptions of travel behavior and, unlike the trip-based model, takes trip chaining (e.g. home to work to day care to home) into consideration. The development of activity-based transportation model would replace the 4-D tool described above and provide for more refined analyses of how land use strategies described in the SCS scenarios would affect behaviors in auto ownership and usage, mode choice, and trip making decisions, etc.

An activity-based model will not completely replace the trip-based model. An activity-based model will create origin and destination (O&D) tables for passenger trips that replace the trip generation, trip distribution and mode choice for these trips in the trip-based model. O&D tables for other trips such as heavy-duty trucks, airport ground access trips, and trips into and of the region, would be combined with the passenger O&D from the activity-based model and then run through the trip assignment model.

Calculating VMT and GHG Emissions Reductions

Based on the tools discussed above, the general steps for calculating VMT and GHG emissions are:

1. Prepare model inputs (socioeconomic data, transportation networks, etc.) through sub-regional SCS and regional RTP development processes.

2. Run the regional transportation model to calculate VMT, speeds, and other performance variables at the TAZ level.

3. Use the 4-D technical tool as applicable to estimate VMT changes from land use below TAZ (intra-zonal) level and apply to the regional model outputs.

4. Run EMFAC model for baseline and SCS scenarios for the appropriate milestone years. GHG emissions will be calculated based on ARB methodology for converting EMFAC emission outputs to CO2 equivalent emissions.

Sub-Regional VMT and GHG Emissions Reductions

By comparing the baseline with the preliminary Conceptual Land Use Scenario, the regional GHG emission reductions and corresponding VMT at the TAZ level can be determined. Based on this analysis, SCAG will provide draft sub-regional GHG targets and corresponding VMT by aggregating the TAZ level data to the sub-regional level. The sub-regions will use these targets as a basis for developing their respective SCSs. SCAG will assist those sub-regions that do not have the resources or choose to not prepare a sub-regional SCS.

SCAG will use the assumptions from each sub-region SCS to perform a single regional transportation demand model run and analyze the results relative to the regional GHG target. In the event that the regional target is not met, SCAG will analyze the sub-regional SCSs against the sub-regional targets and provide the results to the sub-regions for development of revised SCSs as necessary.

Regional SCS/RTP

In addition to developing sub-regional Framework and Guidelines, SCAG will also work with stakeholders to ensure that the integration of sub-regional and regional land use policies, growth forecasts, transportation demand management strategies, and transportation improvements into an overall regional smart growth strategy that meets all applicable state and federal requirements. These include state and federal transportation planning regulations, federal transportation conformity regulations, and SB 375 requirements.

Accompanying Analysis/Report for SCAG Region RTP/SCS

- **Economic Impact Analysis**

  As in the previous RTP development process, SCAG will conduct and provide an economic impact analysis for the RTP and its major policy components. For the 2012 RTP and SCS, the economic impact analysis/report will focus on the regionwide employment, income, economic output, and productivity impacts from impacts of major policy components, such as:

  1. Infrastructure investment
  2. Growth reallocation toward transit stations/corridors and centers
  3. Fuel consumption, VMT savings
  4. Criteria pollutants and GHG emissions
  5. Time savings and congestion relief

  To accomplish this, SCAG will continue to develop and acquire the most update Input-Output Model and other socio-economic impact/projection models such as REMI.

- **Environmental Justice Analysis**

  An EJ analysis/report has been prepared for each RTP since 1988. The goal of the Environmental Justice Analysis is to ensure that RTP and its major policies will not cause

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TRANSPORTATION MEASURE I

•San Bernardino County Transportation Commission •San Bernardino County Transportation Authority
•San Bernardino County Congestion Management Agency •Service Authority for Freeway Emergencies

Minute Action

AGENDA ITEM: 21

Date: April 1, 2009

Subject: South Coast Air Quality Management District (SCAQMD) Proposed Rule 2301 (PR2301)

Recommendation:* 1) Receive report on PR2301

2) Support staff request to the Southern California Association of Governments, the SCAQMD, and the California Air Resources Board (CARB) for the following:

a. Interagency cooperation in early description of the on-road mobile source emission reduction strategy needed to attain federal standards 8-hour ozone and 24-hour PM2.5, and

b. Maximum integration of light and medium duty vehicle (LDV and MDV) pollution reduction strategies for ozone and PM2.5 per PR2301, and greenhouse gases per SB375, recognizing that a focus of both programs is reduced LDV and MDV emissions and vehicle miles of travel (VMT).

Background: PR2301 has been under development by the SCAQMD since the June 1, 2007 Governing Board adoption of the 2007 South Coast Air Basin Air Quality Management Plan (AQMP) and is tentatively scheduled for adoption this year. It will impose new requirements on local government land use decisions designed to reduce VMT.

*

Approved
Board of Directors

Date: _____

Moved: *Second:*

In Favor: *Opposed:* *Abstained:*

Witnessed: _____

BRD0904b-ty
Attachment: brd0904b1-ty

As an extreme nonattainment area, the South Coast is required by federal law to include in its AQMP types of air quality measures that have been implemented in other air basins to reduce ozone and PM2.5. The recent inclusion of an indirect source rule (a rule to reduce emissions by reducing vehicle trips and VMT through land use strategies) in the San Joaquin air plan triggered the requirement for inclusion of a similar measure in the South Coast AQMP. The rule development effort has proven controversial, with several environmental groups calling for implementation through added fees on development, the AQMD staff proposing a menu of creditable actions to be required by local jurisdictions of new development, and private sector interests advocating an approach that relies on existing California Environmental Quality Act (CEQA) procedures. The SCAQMD's white paper entitled "Proposed Rule 2301-Control of Emissions from New or Redevelopment Projects is included as Attachment 1 to this item.

SB 375 was enacted while work continued on PR2301. Both programs are designed to reduce emissions by reducing VMT from cars and light trucks, and both attempt to do so through land use changes, with an emphasis on new development. Although SB 375 targets GHGs, and PR2301 targets ozone and PM2.5 precursors (pollutants that combine in the atmosphere to form the ozone and fine particulates), all targeted pollutants are byproducts of auto and light truck engines, and all will be reduced mostly by extensive replacement of today's vehicles by zero and near-zero emission vehicles needed to attain federal clean air standards in the next 14 years. No other air basin in California or the United States requires this degree of fleet cleanup to attain federal standards. The use of standard fleet mix assumptions adequate to show attainment in most places, but not the South Coast Air Basin, leads to overestimation of the emission benefits of VMT reduction. Attachment 2 is a brief description of why this is so.

The similarities between the SB375 and PR 2301 programs suggest there will almost certainly be overlap and a potential for double-counting the benefits of these programs if they are not considered together. Further, failure to integrate the overlapping programs is likely to result in missed opportunities for synergies and confusing mandates to local governments. Finally, staff questions whether the quest for emission reductions is being carried out in the most efficient manner, given the daunting levels of emission reduction needed for attainment of both federal air quality standards and GHG targets set by AB 32. This argument is made much more difficult by the lack of any clear publically available description of the extent to which today's on-road and off-road fleets must change to meet these mandates. This information is known to the technical air quality community, and staff requests policy support for a request that it be made available to better inform discussion of these issues.

BRD0904b-ty
Attachment: BRD0904b1-ty

Financial Impact: This item has no impact on the approved SANBAG Fiscal Year 2008-2009 Budget.

Reviewed By: This item has had no prior policy committee review.

Responsible Staff: Ty Schuiling, Director of Planning and Programming

BRD0904b-ty
Attachment: BRD0904b1-ty

ATTACHMENT 1

DRAFT WORKING DOCUMENT

WHITE PAPER: PROPOSED RULE 2301-CONTROL OF EMISSIONS FROM NEW OR REDEVELOPMENT PROJECTS

EXECUTIVE SUMMARY

The purpose of this White Paper is to introduce the basic program design of Proposed Rule 2301 to the South Coast Air Quality Management District (AQMD) Governing Board and members of the interested public. The White Paper provides an overview of the purpose, background, rationale and goals set forth in the proposed rule. Although many air districts in California have implemented this type of program for many years, the Indirect Source Rule (ISR) concept that AQMD staff has established within the scope of PR2301 is the first of its kind to be developed, adopted and implemented by the South Coast AQMD. At heart, the proposed rule seeks to reduce emissions resulting from growth related development and redevelopment land use activities. As we pioneer the first land use related rule for our basin, the District is undertaking this course with sensitivity to the need for an open rule development process that fully and carefully considers the multidimensional impacts of the rule requirements to its stakeholders within the private, public and environmental sectors. Nonetheless, in consideration of our air quality attainment targets, overall air quality statistics and resulting public health crisis in the South Coast Region, this proposed rule seeks to control VOC, NOx and PM2.5 emissions resulting from growth by the year 2023. As similar rules have been successfully implemented in other local air districts, AQMD is both required and authorized by state law to adopt such a measure.

INTRODUCTION

On June 1, 2007, AQMD's Governing Board adopted the 2007 AQMP which is designed to meet both the state and federal Clean Air Act (CAA) planning requirements for all areas under AQMD's jurisdiction. The adopted AQMP contains Emissions Growth Measure (EGM)-01, an indirect source control measure intended to mitigate growth emissions from new development and redevelopment projects. Development projects are those that produce air pollution from sources such as vehicle trips, the use of consumer products, landscape maintenance, energy usage, and stationary source processes such as fuel combustion. Each day, millions of vehicles travel the roads in the South Coast Air Basin (SCAB) and the number and length of vehicle trips is expected to increase as development occurs. Additionally, older residential, commercial, and industrial areas undergo major redevelopment involving the addition of building capacity or enhancements in overall floor area and operation activities resulting in emissions similar to new development projects. PR2301 comprises draft regulatory requirements

applicable to development and re-development projects in the SCAB and is intended to achieve the emissions reductions established in EGM-01. PR2301 is committed to reduce growth related emissions that will result from development between the years 2010 and 2023. The pollutant reduction targets established in the AQMP are 0.5 tons per day of VOC, 0.8 tons per day of NOx and 0.5 tons per day of PM2.5. These targets take into account emission reductions credited to other AQMP control measures. The targets are conservative yet critical to our region's compliance with state and federal attainment requirements. Any emission reductions achieved beyond this State Implementation Plan (SIP) commitment will contribute to "black box" reductions (i.e., emission reductions which rely on future technology or not fully defined measures).

BACKGROUND

At the onset of the 2007 AQMP development process, staff established a course of action to include key stakeholders in crafting the EGM-01 rule concept. Knowledge of the events associated with San Joaquin Valley Unified Air Pollution Control District's (SJVUAPCD) Indirect Source Review Program motivated AQMD staff to seek early input from key stakeholders. As a brief summary of SJVUAPCD's experience: their Indirect Source Review Rule 9510 was adopted by their Board on December 15, 2005 and became effective March 1, 2006 with the goal of reducing the impacts of growth in emissions resulting from new land development in the San Joaquin valley. On June 27, 2006 a lawsuit was filed by various building industry groups challenging the rule's validity. On March 25, 2008 the Fresno County Superior Court ruled in favor of the air district. Subsequent appeals to the ruling were also finalized in support of SJVUAPCD.

Accordingly, AQMD staff sought to invite stakeholders to the table early on in order to create the EGM-01 concept that would be included in the 2007 AQMP. Three Stakeholder meetings were held (November 29, 2006, December 12, 2006, January 3, 2007) leading up to the finalization of the 2007 AQMP, with final language specifying the following primary purpose of the measure: AQMD is required to adopt such a measure in order to comply with the "all feasible measures" requirement of state law. The Proposed Method of Control based on discussions and input received called for AQMD to develop a rule that establishes applicability criteria for emissions or other equivalent parameters; for projects meeting the established criteria to reduce their emissions by selecting a series of technically feasible and cost-effective reduction measures from a menu of options; and, for achievable compliance without restricting local or regional jurisdictions' prerogatives for land use approvals. Further, that special consideration would be given to the need to assure that the adopted rule would integrate with and enhance the California Environmental Quality Act (CEQA) process and not retard project approvals in light of CEQA timelines. As part of AQMD's streamlining process, the rule was also expected to include a local delegation component through which a local or regional jurisdiction could elect to implement a program comparable to the District's by adopting an ordinance equal to or more stringent than the rule. Lastly, AQMD committed to a two-step public hearing procedure which would provide a pre-hearing to receive public comments on the basic program design prior to the adoption hearing.

LEGAL AUTHORITY

The basis of AQMD authority to implement this ISR was established both by precedent as established with the SJVUAPCD's experience as well as being required by state law. Requirements specified in the California Clean Air Act mandate that Districts achieve and maintain state standards by the earliest practicable date and for extreme non-attainment areas to include all feasible measures (Health and Safety Code§ 40913, 40914, and 40920.5). Although opponents of PR2301 question the need for the rule given the call for higher levels of emission reductions by other 2007 AQMP control measures, state law is clear on the fact that AQMD does not have a choice about going forward in the development of this ISR; we are mandated to proceed.

California Health and Safety Code directs local air districts to consider the full spectrum of emission sources, to develop attainment plans, and to focus particular attention on reducing emissions from transportation and area wide emission sources (40910). Also 40918(a) (4) of the H&SC requires local air districts that are designated as non-attainment for ozone to include indirect and area wide source control programs in their attainment plans.

The H&SC grants AQMD authority to adopt and implement regulations that reduce or mitigate emissions from indirect and area wide sources of air pollution. This authority is granted to air districts in H&SC§ 40716 (a)(1), (a)(2) and (b) provides AQMD and other air districts a mechanism to carry out their responsibilities with respect to attainment of state Ambient Air Quality Standards (AAQS). The aforementioned codified sections of the H&SC do not constitute an infringement on the existing authority of counties and cities to plan or control land use.

A 1993 California Attorney General opinion states that "a district's regulations may require the developer of an indirect source to submit plans to the district for review and comment prior to the issuance of a permit for construction by a city or county. A district may also require the owner of an indirect source to adopt reasonable post-construction measures to mitigate particular indirect effects of the facility's operation. Such regulations could be enforced through an action for civil penalties..."

Implementation of this proposed rule will meet the "all feasible measures" requirement of state law, H&S Code§ 40716; 40913 (6); 40914(b)(2); 49020.5(c); and 14 CA Code of Regulation Section 15364. In regards to "all feasible measures," the term "feasible" is defined in the 14 California Code of Regulations, section 15364, as a measure "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors." As several California air districts have already adopted and implemented indirect source rules, policies, and/or the collection of reduction fees, this type of measure has been shown in a variety of areas to be "feasible." Examples of other air district rules or policies are briefly summarized in Appendix A.

RULE DEVELOPMENT PROCESS

Subsequent to the 2007 AQMP adoption hearing, staff moved forward to transition the EGM-01 Control Measure concept, developed in consultation with the Pre-AQMP Stakeholder Working Group, to actual rule design principles and finally to PR2301 draft rule language. As part of the rule development process, the PR2301 Stakeholder Working Group, comprised of representatives from local governments, the building industry, developers, realtors, other business representatives, and environmental/community members, was reformed to meet and discuss the formation of the draft rule. Six stakeholder meetings were held in 2008, and are on-going in 2009, to discuss and refine the rule concept, design requirements and draft rule language.

Initial meetings focused on establishing the universe of emission source categories and the relative emission apportionment attributable to growth. The inventory methodology for each source category largely follows the approach taken in developing the 2007 AQMP and takes into account the most recent growth and planning assumptions. Generally speaking, the inventory methodology involved three steps: 1) Identification of possible source categories related to new and re-development projects; 2) Determination of growth emissions for those categories; and 3) Estimation of the appropriate portion of the growth emissions for each category attributable to new and re-development projects and potentially subject to PR2301. The emission source categories included in this proposed rule can be found in the emissions inventory document found in Table 3 of Appendix B. The PR2301 emission reduction targets of 0.5 tons per day of VOC; 0.8 tons per day of NOx and 0.5 tons per day of PM2.5 from new development, from 2010 through 2023, was established in consideration of all control measures included in the AQMP and the emission reductions associated with their implementation; emissions growth projected to occur in this region beyond the next decade; and conservative assumptions of practical reduction measures that project proponents could implement to reduce air quality emissions resulting from new or re-development projects. This SIP commitment for PR2301 represents a small fraction of the total net growth in emissions, during years 2010 to 2023, from new development, as shown in Table 4 of Appendix B. Relative to the value of these reductions, PR2301 has been designed to obtain long term sustainable reductions. Unlike programs such as the Carl Moyer Memorial Air Quality Standards Attainment Program which capture short term emission reductions, typically over a 7 year period, the emission reduction measures incorporated in PR2301 will result in reductions that will occur over the life of the projects.

In addition to seeking input from stakeholder group participants AQMD staff has forwarded a copy of the draft rule language to the United States Environmental Protection Agency (USEPA) and the California Air Resources Board (CARB) staff for preliminary review and comment. Based on their input, AQMD staff will work in consultation with the respective agencies to address any issues that would challenge the

SIP approvability of the proposed rule. AQMD staff's intent is that the emission reductions achieved by the proposed rule be real, quantifiable, verifiable, and credible to

obtain SIP credit for the target reductions. Reductions assumed or proposed in the 2007 AQMP/SIP will be taken into consideration so as to avoid double counting of emission reductions. Excess emissions reductions achieved via the proposed rule, beyond AQMD's 2007 AQMP commitments, will go towards the "black box" reductions.

CURRENT STAFF PROPOSAL

The working draft of PR2301 presented and discussed at AQMD's most recent Stakeholder Working Group meeting is provided in Appendix C. A summary of staff's proposal is as follows:

I. Applicability

This proposed rule applies to any applicant that seeks to gain final discretionary approval for a development project, or any portion thereof, whose operational emissions upon final buildout equal or exceed two (2.0) tons per year of NOx and is required to prepare an Environmental Impact Report, Negative Declaration or Mitigated Negative Declaration. Staff's rationale for this threshold was established in consideration of SJVAPCD's extreme ozone non-attainment designation as being identical to SCAQMD's extreme non-attainment designation and their rule threshold being based on a 2 ton NOx threshold. As other air quality indicators specific to our basin were also weighed, staff concluded that it was reasonable for the NOx applicability threshold established in PR2301 to be at least as stringent as that required by SJVAPCD's Rule 9510, as a starting point. Additionally, AQMD has a contract study currently underway to evaluate and further document if a different threshold can be used to achieve equivalent or greater reductions while reducing administrative burdens of compliance. Modification of the applicability trigger may be recommended by staff pending the study outcome.

II. Rule Requirements

The basic requirement of PR2301 is to reduce growth related emissions from development and re-development projects by a specified percentage. Project proponents will be required to either use the default reductions specified in the rule or project-specific reductions based on URBEMIS or other methods consistent with AQMP inventory methodology. Any Alternative Calculation Methods must be approved by the Executive Officer, CARB and the USEPA to determine overall emissions from a proposed project. If energy efficiency or conservation measures are selected, reductions can be quantified in accordance with the California Code of Regulations-Title 24.

III. Compliance Options

PR2301 allows project proponents to select from two overall compliance options: project level or local government delegation.

The project-level option separates reduction measure requirements into two categories-construction phase and operational phase. Requirements for the construction phase of a project ensure emission reductions through two sets of measures that re-enforce statewide construction equipment requirements and require on-site construction practices. Note that AQMD staff is re-evaluating PR2301 requirements for construction equipment due to the recent delay of the statewide In-Use Off-Road Diesel Vehicle Regulation. However, currently in PR2301, these measures include compliance with CARB's In-Use Off-Road Diesel Vehicle Regulation, and use of architectural coatings that do not exceed fifty (50) percent of the VOC limit specified in AQMD's Rule 1113. The proposed rule also allows the project proponent to choose implementation requiring the use of cleaning products that meet the requirements of the Clean Air Choices Protocol and/or the use of CARB certified low emitting leaf blowers as a substitute for the architectural coating requirement.

Requirements for the operational phase of a proposed project are intended to address three sources of emissions including energy efficiency, transportation and other optional on-site sources. The proposed rule also permits project proponents to propose substitution reduction measures. In general, the proposed rule requires that projects generating 2.0 tons per year or greater of operational NOx emissions demonstrate an overall percent of reductions from the project total operational emissions. The percentage level of energy efficiency and transportation measures required is currently under evaluation. In addition to the Draft Rule Language, Appendix C also includes a list of sample transportation emission reduction measures. Each of these measures has been quantified either through URBEMIS or through Sacramento Metropolitan AQMD's Recommended Guidance for Land Use Emission Reductions document. The sample list of measures outlined in Appendix C is not intended to be an exhaustive list. Therefore, project proponents may opt to propose other measures supported by documentation which verifies the emissions reductions claimed.

The local delegation option allows a local or regional jurisdiction to elect to implement either PR2301 for reviewing and approving applications, or to adopt an ordinance that will programmatically achieve equal or more emission reductions than the proposed rule. This latter option provides an opportunity to incorporate the rule requirements into local General Plans, Air Quality, and/or Climate Change policies and programs. Examples of existing local ordinances that incorporate District rules are: Coachella Valley Association of Government's PM10 mitigation measures for Rule 403 – Fugitive Dust; and the City of Santa Monica's Ordinance Number 1604, which implements AQMD's Rule 2202.

IV. Enforceability

Staff's proposal calls for project proponents to submit a compliance plan that details the project emissions and identifies reduction measures that will be applied to off-set emissions caused by the project. The compliance plan is the enforceable document that

AQMD staff would use to ensure implementation of committed measures. Further, AQMD will deploy Compliance Inspectors to conduct field inspections that verify implementation of proposed reduction measures. If the local government delegation option is elected, AQMD staff would audit the local jurisdiction to verify program implementation.

V. Tiered Implementation Schedule

The proposed compliance schedule for rule implementation is for projects with operational NOx emissions of 10 tons per year or greater to comply as of January 1, 2010; projects with 4 tons per year or greater to comply as of January 1, 2011; and projects with 2 tons per year or greater to comply as of January 1, 2012. This tiered schedule will allow for larger projects already most likely subject to CEQA requirements to be implemented first. Both the AQMD as well as project proponents stand to benefit from this approach. Under this approach, AQMD staff will evaluate and monitor the level of internal administration and resources necessary to successfully implement and enforce the rule. Project proponents will benefit from having the rule progressively refined, with manageable learning curves, as implementation moves forward.

In addition to the aforementioned components of the proposed rule, staff sought to emphasize several other considerations, as follows, throughout the stakeholder process:

Interaction with Current CEQA Process

PR 2301 would apply to any project that generates two or more tons of NOx emissions per year and is subject to CEQA. A compliance plan would be submitted to the AQMD by the project proponent for proposed projects that meet the applicability requirements of the proposed rule. It is expected that the compliance plan would include the results of the air quality impact analysis, emission reduction strategies, and either project design features and/or reduction measures as applicable from the CEQA document already prepared for the proposed project. To comply with the emission reduction target in the proposed rule or demonstrate equivalency with the proposed emission reduction target, the compliance plan may also include additional emission reduction strategies selected from a menu of options specified in the proposed rule or identified by the project proponent. Since the compliance plan includes air quality analysis impact and emission reduction information from the CEQA document, resource impacts from preparing the compliance plan would be minimized.

Compatibility with Climate Change Programs

AB 32 and SB 375 were adopted, respectively, in September 2006 and September 2008. Both climate change bills seek to reduce the effect of greenhouse gas emissions and their deteriorating impacts within our environment and to our health. AB 32's scoping plan approved by CARB in December 2008 included measures for both energy efficiency and the transportation sector. SB 375 specifically calls for reductions from Light Duty Automobiles (LDA) and Light Duty Trucks (LDT) with focus on vehicle miles traveled. Although the reduction measures discussed in the current guidance documents for AB 32,

and perhaps those to be included in the Sustainable Communities Strategies (SCS) for SB 375, target the reduction of greenhouse gases, they are likely to also produce criteria pollutant reduction co-benefits. As such, PR2301 explicitly recognizes these reductions to be attributable to the rule targets and allows local governments to programmatically demonstrate PR2301 compliance with potential strategies required or committed under the AB 32 Scoping Plan or the SB 375 SCS.

Fee Option

During the 2007 AQMP development process for EGM-01, the notion of reduction fees was raised by several members of the stakeholder group. Staff did consider a fee alternative similar to that included in SJVAPCD's Rule 9510, as a compliance alternative that could provide compliance flexibility to the regulated community. However, the business community argued against the fee option. Based on comments received from the business community, the proposed rule is currently designed without the reliance on reduction fees to achieve our SIP commitment. On the contrary, the environmental community urges the inclusion of a fee option, without which they believe the proposed rule will be weakened.

Public Comments/Key Issues

There are a number of key issues, raised by stakeholders, that staff is continuing to address in the development of this proposed rule. These issues include the proposed rules' interaction with the CEQA process; local governments' authority over final project approval; inclusion of an off-site reduction measure fee option; the compliance schedule (e.g., phase-in); standard uniform requirements for all projects regardless of size vs. a project-by-project approach requiring local governments to make individual project decisions; and enforceability. The key objective for AQMD, in the resolution of these issues, is to meet the legal requirements of the California Clean Air Act's "all feasible measures" requirement, while being sensitive to project proponents and the requirements under the current CEQA process.

Through our stakeholder process, an alternative proposal from the business sector has been discussed and formally presented to the PR2301 Stakeholder Group for consideration.

Business Group Alternative Proposal

Some parties in the business sector view PR2301 as a new process and procedure separate from CEQA to mitigate ISR emissions, and assert that it interferes with local government land use authority. They point out that an existing environmental review process, CEQA, is already undertaken by local agencies throughout the District, that the process currently provides an avenue for both the AQMD and local agencies to review the environmental impacts of projects during both the construction and operations phases, and that it requires mitigation of those impacts. Therefore they have put forth the following proposal (Appendix D- Business Group's Alternative Proposal), in summary:

Create a process by which the proposed rule would be implemented through the existing environmental review process under the California Environmental Quality Act (CEQA). The recommended process calls for Lead Agencies to be responsible for project proponent compliance with PR2301, with AQMD recommendations and comments being submitted to the Lead Agency during the project discretionary review period. Lead Agencies would base their project decisions on AQMD's PR2301 Guidance Document, which would be updated to include additional emission reduction design features and reduction measures. Project sponsors would be required to implement design features or mitigations required by CEQA, the jurisdiction's General Plan and any applicable regional plan. The District would develop an updated checklist of air quality findings to be included in CEQA documents for use by local agencies and project sponsors. The District would annually collect and compile data on new development and redevelopment project emission reductions from environmental documents, track the emissions reduced through various project design features and CEQA mitigations, and use this information for SIP submittal.

The business representatives believe that local governments are in the best position to balance the competing requirements that project proponents are subject to comply with and therefore that the interest of project proponents is best served under existing CEQA requirements.

Based on the draft rule language submitted to the Stakeholder Working Group, AQMD staff prepared a side-by-side comparison (see Table I) of their alternative proposal vs. Staff's proposal. Staff believes that the CEQA-based approach, as currently proposed, is merely guidance and does not carry the legal authority or enforceability of a rule. Therefore, AQMD staff does not believe this proposal could be SIP approvable and thus would not enable the District to meet its AQMP SIP commitment. However, staff is committed to work with the stakeholders to determine how the proposal can be modified or enhanced to meet the SIP approvability. The side-by-side comparison in Table I illustrates a few areas where the business group proposal can be improved.

Environmental Community

Representatives of the environmental community are in support of a proposal that requires mitigation fees similar to those required in other district ISRs. They assert that a fee would provide a consequence to developers who are unable to achieve the required emissions reductions and that fees collected by the AQMD would be used to pay for offsite reductions to offset emissions created from new development. This concept has already proven to withstand legal challenges. However, staff's proposal accomplishes the 2007 AQMP objectives without a fee component and also achieves long-term emission reductions. They also recommend that reduction measures be directly quantified and aligned with specific land uses in order to increase the emission reduction potential of the proposed rule. With regard to construction equipment, they recommend

that developers be required to use the cleanest construction equipment possible or to reduce construction emissions to a certain threshold. Further, the environmental community has commented that maximum cost effective reductions should be credited to the rule so that the AQMD does not unintentionally leave cost-effective reductions on the table. AQMD staff will contain to evaluate these suggestions to strengthen the staff proposal where appropriate.

	AQMD PR 2301	Industry CEQA Alternatives	AQMD Staff Initial Comments
Purpose	Reduce emissions from development projects	Assure development projects implement CEQA to meet AQMP emission reduction targets.	Criteria to consider: equal or greater reductions and SIP approvability (e.g., SIP creditable reductions, SIP enforceability)
Applicability	• Project proponents o Operational NOx emissions ≥ 2 tpy, and o Is required to prepare an EIR, MND or ND.	• AQMD o CEQA Handbook o CEQA commenting • CEQA Lead Agencies o Operational NOx emissions ≥ X tpy, and o Is required to prepare an EIR, MND or ND.	Lead agency opt-in provisions, provided meeting SIP requirements
General Requirements	A. Quantify project emissions using URBEMIS or other AQMD, CARB and EPA approved methodology. B. Select emissions reduction measures to achieve reduction target specified in the rule: 1. Construction phase, and 2. Operational phase C. Local government delegation o Implementation; o Programmatic substitution D. Substitution measures allowed o On-site o Off-site	A. Use methodologies recommended in CEQA Handbook to quantify emissions must be used unless the Lead Agency: 1. Adopts an alternative methodology and allows District comments; or 2. Applies a project specific alternative emissions methodology and explains the difference between the alternative and the CEQA Handbook methodology. B. The Lead Agency shall require all applicable design features in the CEQA Handbook unless one of the following findings are made: 1. The design features and/or mitigation measures are technically,	o Notify AQMD and allow a 30-day comment period; o If disagrees, adopt the alternative methodology via a public meeting and provide substantial evidence to justify the difference. o Formal adoption of AQMD CEQA significant thresholds for criteria pollutants by Lead Agency o Definitions for infeasibility? o Infeasibility findings at a public

Table I
Summary of Industry's Alternative Rule – Presented on January 22, 2009
(Working Group Discussion Only)

	AQMD PR 2301	Industry CEQA Alternatives	AQMD Staff Initial Comments
		legally or economically infeasible; or 2. Alternative design and/or mitigation measures as effective as those in the CEQA Handbook are incorporated.	meeting o Equivalency demonstration via methodology discussed above o Current staff proposal allows substitution
Administrative Requirements	Submittal of a Compliance Plan that includes the following: A. Applicant Information, B. Project description, C. Emissions information, and D. Emission reduction measures.	A. The Lead Agency shall provide the District with a copy of all CEQA Documents, and B. Mitigation measures approved by the Lead Agency shall be enforced as required by CEQA.	o CEQA should contain air quality analyses addressing the "general requirements" based on AQMD-developed form o Mitigation measures enforceable by AQMD as well. o Backstop procedures?
Exemptions	A. Transportation and Transit Projects, B. Reconstruction of damaged or destroyed projects, and C: Airports and marine ports	A. Transportation and Transit Projects, B. Reconstruction of damaged or destroyed projects, and C. Marine ports	
Compliance Schedule	January 1, of : A. 2010 for 10 tpy, B. 2011 for 4 tpy, C. 2012 for 2 tpy for projects issuing NOP/IS	As of January 1, 2011 all CEQA documents specifying the final mitigation measures and emissions reductions shall be submitted to the AQMD.	o Lead Agency opt-in via local ordnance

NEXT STEPS

PR2301, as committed to in EGM-01, will follow a two-step public hearing procedure. Initially, AQMD will agenize the item at our April 2009 in order to receive public comments on the basic rule concept and design as well as on alternative proposals. Staff will further develop its proposal based on input received at this meeting. Also, staff is committed to continuing its Stakeholder Group meetings and will hold public workshops as well as outreach meetings during the rule development process. A public hearing will be held during the fall of 2009, with rule implementation projected for January 2010-2012.

March 6, 2009
brd0904b1-ty

Table I
Summary of Industry's Alternative Rule – Presented on January 22, 2009
(Working Group Discussion Only)

Appendix A	Air Districts' Indirect Source Program Summary
Appendix B	Baseline Inventory Development Description and Rationale Document
Appendix C	Proposed Rule 2301 Draft Rule Language and List of Transportation Emission Reduction Measures
Appendix D	Business Group's Alternative Proposal (Draft Rule Language)

Attachment 2

Both the SB375 and PR 2301 emission reduction targets constitute only a small percentage of the pollution from the sources they attempt to address: SB375's statewide 5 million metric ton CO2 equivalent target is about 3.7% of total statewide LDV and MDV emissions; PR 2301's targets of 0.5 tons per day VOC (volatile organic compounds, precursors of ozone), 0.8 tons per day NOx (nitrogen oxides, contributors to both ozone and fine particles), and 0.5 tons per day fine particulates are less than 2% of these emissions.

The SCAQMD chart below for the South Coast Air Basin shows the level of basinwide NOx emissions, considering all regulations enacted to date, from 2002 to 2023, which is the year by which the basin must attain the federal 8-hour ozone standard. Total NOx emissions today (about 750 tons per day) will be reduced to about 500 tons per day by existing regulations, with reductions coming mostly from on-road sources including those targeted by PR2301 and SB 375. However, the "carrying capacity" of the South Coast Basin (the emissions level consistent with attainment of the 8-hour ozone standard) for NOx is only about 120 tons per day. This suggests that about 380 tons per day of additional NOx reductions are needed by 2023 to attain federal air quality standards. Nearly all of these reductions must come from on-road sources (trucks, cars, buses) and off-road sources (trains, ships, airplanes, and construction equipment). Nearly all these reductions must come from replacement of today's relatively dirty cars, trucks, buses, trains, ships, and construction equipment by zero near-zero emission technologies.

AGENCY REPORTS

Governments
SANBAG
Working Together

San Bernardino Associated Governments
1170 W. 3rd Street, 2nd Floor San Bernardino, CA 92410-1715
Phone: (909) 884-8276 Fax: (909) 885-4407 Web: www.sanbag.ca.gov

TRANSPORTATION MEASURE I

■ San Bernardino County Transportation Commission ■ San Bernardino County Transportation Authority
■ San Bernardino County Congestion Management Agency ■ Service Authority for Freeway Emergencies

APRIL COMMUTER RAIL REPORT

1. PATRONAGE

San Bernardino Line:
Ridership on the San Bernardino Line dropped just slightly (<1%) from last month but increased 4% from the same month in 2008. So far, March patronage is again just a bit slower, currently averaging 13,022 passenger trips per weekday.

Saturday patronage was up 8% from last month but down almost 5% from February 2008. Preliminary March data is pointing to a stronger month with a current average of 4,004 passenger trips per Saturday.

Sunday average ridership on the San Bernardino Line was 3% lower than the average last month. There was however, a 6% increase in a year-to-year comparison. As of mid-March, average Sunday ridership is 17% higher than February with a current average of 2,558 passenger trips per Sunday.

Riverside-Ontario-Los Angeles Line:
Ridership on the Riverside Line decreased almost 5% from last month. February 2009 was 2% higher than February 2008. A preview look at March ridership figures points to somewhat stronger patronage with the current March average at 5,204 passenger trips per weekday.

Inland Empire-Orange County (IEOC) Line:
February average daily ridership on the IEOC Line increased just a bit (<1%) from last month but was down 8% from the same month last year. At this point, March patronage is slightly slower than February with average daily ridership currently at 4,369 passenger trips per weekday.

Total System:
System wide, December average daily ridership dropped almost 2% from January but was about the same as February 2008. Early data for March is a bit higher than February with the current average at 43,428 passenger trips per weekday.

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Table 1

Average Weekday Daily Ridership*

	San Bernardino	Riverside	IEOC	System wide
February 2009	13,161	5,111	4,422	43,313
February 2008	12,624	5,008	4,821	43,358
% Change	+ 4.3%	+ 2.1%	- 8.3%	- 0.1%

* Adjusted for Holidays

Table 2

Average Weekend Ridership

	San Bernardino Saturday	San Bernardino Sunday
February 2009	3,799	2,187
February 2008	3,987	2,065
% Change	- 4.7%	+ 5.9%

2. **ON-TIME PERFORMANCE (arrival within 5 minutes of scheduled time)**

San Bernardino Line:
On-time performance results were mixed this month for the San Bernardino Line. Inbound trains improved two percentage points while outbound trains dropped two points to both finish the month at 96% on time. Fifteen of the thirty-eight reported delays were caused by mechanical difficulties and another eleven delays were due to Metrolink operations.

Riverside-Ontario-Los Angeles Line:
February on-time performance for the Riverside Line worsened compared to January. Inbound trains dropped three percentage points and outbound trains dropped four points to finish the month 95% and 91% on time, respectively. Thirty percent of the seventeen reported delays were due to train/engine operations.

Inland Empire-Orange County (IEOC) Line:
On-time performance for the IEOC Line improved from January to February. Southbound trains held steady at 95% on time while northbound trains improved from 91% on time in January to 94% on time in February. Mechanical difficulties caused six of the twenty-three reported delays and signals/communications, dispatching, Metrolink operations, and "other" operations issues each accounted for another four delays.

Table 3

On Time Performance

% of weekday trains arriving within 5 min. of scheduled time

(February 2009 vs. February 2008)

	San Bernardino		Riverside		IEOC	
	In	Out	In	Out	So.	No.
February 2009	96%	96%	95%	91%	95%	94%
February 2008	98%	98%	95%	96%	98%	95%

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South Coast
Air Quality Management District
21865 Copley Drive, Diamond Bar, CA 91765-4178
(909) 396-2000 • www.aqmd.gov

March 11, 2009

To: Mayors and Councilmembers

From: Dennis R. Yates, Mayor/City of Chino
Cities of San Bernardino County
Board Member, South Coast AQMD

Attached are the agenda items and the outcome of the March 6, 2009 AQMD Governing Board meeting, and a preview of the items for discussion at the April 3, 2009 meeting.

PUBLIC HEARING ITEMS AT THE MARCH 6, 2009 BOARD MEETING

Adopt Proposed Rule 1143 – Reduction of VOC Emissions from Consumer Paint Thinners and Multi-Purpose Solvents
(Continued from January 9, 2009 Board meeting.)
The proposed rule will reduce VOC emissions by establishing VOC limits and other requirements for consumer paint thinners and multi-purpose solvents in the AQMD. (Review: Stationary Source Committee, November 21, 2008, January 23, 2009)

Majority Votes: 11 Yes, 0 No, 2 Absent

Adopt Proposed Rule 1144 – Vanishing Oils and Rust Inhibitors
(Continued from January 9, 2009 Board meeting.)
PR 1144 will establish VOC limits for vanishing oils and rust inhibitors used at industrial facilities, effective January 1, 2010. The proposed rule prohibits the sale of non-compliant fluids and includes exemptions for specific uses of vanishing oils and rust inhibitors. PR 1144 will implement Control Measure CTS-01 – Emission Reductions from Lubricants of the 2007 AQMP. (Review: Stationary Source Committee, October 17, 2008, November 21, 2008, January 23, 2009)

Majority Votes: 10 Yes, 0 No, 3 Absent

Amend Rule 1156 – PM10 Emission Reductions from Cement Manufacturing Facilities
The proposed amendments would require additional measures to reduce particulate emissions, including hexavalent chromium. The proposal also includes wind monitoring, and monitoring and sampling for hexavalent chromium. Contingency measures are built into the rule, and would be triggered if elevated particulate or hexavalent chromium levels occur. (Review: Stationary Source Committee, June 20, 2008, September 19, 2008, November 21, 2008, and January 23, 2009)

Majority Votes: 9 Yes, 0 No, 4 Absent

Amend Rule 317 – Clean Air Act Non-Attainment Fees
(Staff recommends that the public hearing be continued to the April 3, 2009 Board meeting.)
Rule 317 was adopted by the Board at its December 5, 2008 meeting for the Salton Sea Air Basin only. The public hearing for the provisions that apply to the South Coast Air Basin was continued to the February 6, 2009 Board meeting. As directed, staff is returning to the Board with a proposal to extend the provisions of the rule to the South Coast Air Basin. (Review: Stationary Source Committee, January 23, 2009)

Majority Votes: N/A Public Hearing Continued to April 3, 2009 at Chair's Direction

Annual RECLAIM Audit Report for 2007 Compliance Year
The annual report on the NOx and SOx RECLAIM program is prepared in accordance with Rule 2015 – Backstop Provisions. The report assesses emission reductions, availability of RECLAIM Trading Credits (RTCs) and their average annual prices, job impacts, compliance issues, and other measures of performance for the fourteenth year of this program. This is the second annual RECLAIM audit report to employ the new price reporting and averaging methodology which analyzes discrete-year RTC trace price data separately from infinite-year block TRC trade price data. In addition, recent trends in trading future year RTCs are analyzed and presented in this report. Further, a list of facilities that did not reconcile their emissions for the compliance year is included with the report.

Majority Votes: 10 Yes,0 No, 3 Absent

Approve and Adopt Technology Advancement Office Clean Fuels Program Annual Report and Plan Update
(Staff recommends that the public hearing be continued to the April 3, 2009 Board meeting.)
As a requirement of the Clean Fuels Program funding, the Technology Advancement Office must submit to the Legislative Analyst by March 31st of each year an approved Annual Report for the past year and a Plan Update for the current calendar year. Staff has reviewed the Clean Fuels Program with the Clean Fuels Advisory Group, the Technology Advancement Advisory Group, and other technical experts. Additionally, staff presented the 2009 Clean Fuels Program Draft Plan Update for review and comment to the Board at its October 3, 2008 meeting. At this time, staff is submitting the final Technology Advancement Office Clean Fuels Program Annual Report and Plan Update for Board approval. (Review: Technology Committee, February 20, 2009)

Majority Votes: N/A Public Hearing Continued to April 3, 2009 at Chair's Direction

PUBLIC HEARINGS SET FOR APRIL 3, 2009 BOARD MEETING

Amend Regulation IX – Standards of Performance for New Stationary Sources
Periodic amendments to Regulation IX incorporate new or amended federal standards by reference. Seven actions enacted in 2008, for NSPS, are proposed for incorporation into Regulation IX. The NSPS actions cover: new standards for stationary spark ignition internal combustion engines; stays on certain standards for equipment leaks of VOC in the synthetic organic chemicals manufacturing industry and petroleum refineries; new standards for new, modified, or reconstructed process units at petroleum refineries; and temporary, interim, and unlimited stays for certain provisions of the new standards for petroleum refineries. Affected industries include: stationary spark ignition internal combustion engines, synthetic organic chemicals manufacturing industry, and petroleum refineries. (Review: Stationary Source Committee, February 20, 2009)

Please find attached the March edition of the *SCAQMD Advisor* for your information.

Clean Transportation
Funding from the MSRC
Mobile Source Air Pollution Reduction Review Committee

REPORT: Mobile Source Air Pollution Reduction Review Committee

FROM: Gwen Norton-Perry, SANBAG Representative to the MSRC

SYNOPSIS: Below is a summary of key issues addressed at the MSRC's February 19, 2009 meeting. The MSRC's next meeting is Thursday, March 19, 2009, at 2:00 p.m. in Room CC8

Approved Minutes
Minutes from the MSRC's January 22, 2009 meeting were unanimously approved.

Two Local Government Match Projects Approved under FY 2008-09 Work Program
Under its FY 2007-08 Work Program, the MSRC released a $3 million Local Government Match Program Announcement #PA2008-02. The Program included funding for three eligible categories: alternative fuel infrastructure, remote vehicle diagnostics, and heavy-duty alternative fuel vehicles. The latter category provided for a dollar-for-dollar match, up to $25,000 per vehicle. Funding for all eligible categories was to be distributed on a first-come, first-served basis with a geographic minimum per county of $375,000. The MSRC ultimately approved funding totaling $4,239,435 for 29 applications (using the $3 million originally allocated in the FY 2007-08 Work Program plus $1,239,435 from the FY 2008-09 Work Program). When staff conducted a review of the program, they realized that two of the applications had requested funding for alternative fuel vehicles but only the portion requesting funds for alternative fuel infrastructure expansions was brought forward to the MSRC for consideration. Specifically, the City of Claremont had requested funding towards the purchase of one heavy-duty CNG vehicle and the City of Riverside had requested funding towards the purchase of sixteen heavy-duty CNG vehicles. If these requests had been brought forward, they would have been eligible for funding. Consequently, at its February 19, 2009 meeting, as part of the FY 2008-09 Work Program, the MSRC unanimously approved awarding $25,000 to the City of Claremont for one heavy-duty natural gas vehicle and $400,000 to the City of Riverside for up to sixteen heavy-duty natural gas vehicles. The AQMD Board will consider these modified awards at its March 6, 2009 meeting.

The MSRC expressed concern about the oversight and requested that mechanisms be put into place to prevent future such mistakes. Staff informed the MSRC that the application template for this program had in fact been revised in the current Local Government Match solicitation to prevent such oversights and additional reviews and checks would be implemented in future evaluation processes. Staff will continue to identify additional improvements, where possible.

Issued New/Replacement Contract under FY 2004-05 Work Program
Under the FY 2004-05 Work Program, the County of Los Angeles, Department of Public Works, was awarded a contract for $349,000 to develop data links between the City of Los Angeles, Department of Transportation's (LADOT) traffic center and the County's Information Exchange Network. The data links would enable the County and LADOT to have a two-way exchange of congestion and incident information for multi-jurisdictional arterial coordination and management. In November 2008, the MSRC approved a one-year term extension, but the County did not return the signed contract modification before the original contract terminated. On February 19, 2009, the MSRC unanimously approved a new/replacement contract for the County in the amount of $349,000 to complete this project.

Mountain Area CNG School Bus Demonstration Program
Staff reported that they continue to work with all stakeholders involved in this Program. The old temporary refueling station has been removed, and progress is being made to install the new temporary refueling station. The MSRC may consider some options on this Program at its next meeting, including potentially extending the timeline to allow for a reasonable demonstration period.

Adding Lien Rights Language to MSRC Contracts
The MSRC was advised that, like other AQMD contracts, language would be added to future MSRC contracts to provide for the ability to submit UCC filings to obtain lien rights on equipment and/or vehicles purchased in part or in whole using funds from the AB 2766 Discretionary Fund to ensure these public monies will be used effectively and as intended.

Received and Approved Final Reports
The MSRC received and approved two final reports at its February 19, 2009 meeting, as follows:

1. Regents of the University of California (UCLA) Contract #MS05041, which provided $15,921 towards upgrades of a CNG refueling station; and
2. City of Redlands Contract #MS07052, which provided $160,000 towards the purchase of five natural gas refuse trucks.

All final reports are filed in the AQMD's library and a two-page summary of each closed project can be viewed in the electronic library on the MSRC's website at http://www.cleantransportationfunding.org.

Contract Modification Requests
At its February 19, 2009 meeting, the MSRC considered three contract modification requests and took unanimous action, as follows:

1. For Newport-Mesa Unified School District Contract #MS06048, which provides $50,000 towards installation of a CNG refueling station, approval of a one-year contract term extension;
2. For Los Angeles County Metropolitan Transportation Authority Contract #MS04056, which provides $120,000 for regional rideshare database enhancements, approval of a nine-month contract term extension; and
3. For Riverside County Transportation Commission Contract #MS04061, which provides $225,000 for regional rideshare database enhancements, approval of an 18-month contract term extension. This last modification will also be considered by the AQMD Board at its March 6, 2008 meeting, since their original approval of the contract award had specified a shorter timeframe.

Contracts Administrator's Report
The MSRC's AB 2766 Contracts Administrator provides a written status report on all open contracts from FY 2002-03 through the present.

ADDITIONAL INFORMATION

SANBAG Representatives on SCAG Committees

APPOINTING/ELECTING AUTHORITY	REGIONAL COUNCIL (12:00 noon)	POLICY COMMITTEES (RC Members Serve on One Each) (Subregional Appointments) (County Commissions Appoint One to TCC) (10:00 a.m.)		
		Community, Economic, and Human Development	Energy and Environment	Transportation and Communications
District 6 (Grand Terrace, Colton, Loma Linda, Redlands, Yucaipa)	P. Gilbreath			
District 7 (San Bernardino, Highland)	L. McCallon	L. McCallon		
District 8 (Rialto, Fontana)	D. Robertson	D. Robertson		
District 9 (Rancho Cucamonga, Upland, Montclair)	P. Eaton		P. Eaton	
District 10 (Chino, Chino Hills, Ontario)	G. Duncan			G. Duncan
District 11 (Barstow, Big Bear, Needles, Twentynine Palms, Yucca Valley)	L. Dale			L. Dale
District 65 (Adelanto, Apple Valley, Hesperia, Victorville)	T. Jasper	T. Jasper		
San Bernardino County	G. Ovitt			G. Ovitt
SANBAG Acting as County Transportation Commission	K. Chastain			P. Leon
SANBAG Subregional Appointees* *One appointee to each policy committee for a total of three appointees per subregion, plus one additional appointee for every SCAG District over three in the subregion. SANBAG has a total of seven subregional appointees to the policy committees.		B. Cortes B. Jahn J. Mitchell	Vacant (J. Harrison) Vacant (P. Lilburn)	P. Leon K. Chastain

Rules of Appointment

1. SANBAG policy stipulates that all SANBAG appointees be SANBAG Board Members.
2. SCAG President appoints Regional Council members to Standing and Policy Committees.

Terms of Appointment

Terms of appointment for Regional Council members representing odd numbered districts expire immediately following the SCAG General Assembly in April of odd numbered years. Terms of appointment for Regional Council members representing even numbered districts expire immediately following the SCAG General Assembly in May of even numbered years. SANBAG appointments to SCAG Policy Committees are for a term from May through the next regular SCAG general assembly of the following year.

Stipend

SCAG provides Regional Council members $100 per day for a maximum of four meetings per month, plus mileage. A stipend for the fifth meeting per month may be received on approval by SCAG's Executive Director. SCAG also provides subregional appointees representing SANBAG on SCAG Policy Committees $70 per meeting.

Meeting Information

The regular meetings of SCAG Regional Council, Standing Committees, and Policy Committees are on the first Thursday of each month at the SCAG Offices located at 818 W. Seventh Street, Los Angeles: 10:00 a.m., Policy Committees 12:00 noon, Regional Council

Policy Committees

Community, Economic, and Human Development: Provides policy recommendations to the Regional Council on subjects of housing, land use, resource, economic, community development, infrastructure, employment, and regional disaster preparedness issues. Reviews and recommends to the Planning Committee revisions to the Housing, Economy, Growth Management, Human Resources, and Finance Chapters of the Regional Comprehensive Plan and Guide.

Energy and Environment: Acts as the policy advisory committee to the Regional Council on environmental issues, including air and water, hazardous, solid waste management, natural resources conservation, and energy conservation Reviews the Environmental Impact Report of the Regional Comprehensive Plan and Guide. Provides recommendations to the Planning Committee on state and federal legislative proposals and administrative guidelines affecting environmental quality, resource conservation,

Transportation and Communications: Acts as the policy advisory committee to the Regional Council on all regional matters pertaining to the movement of goods and people on land, water, and air. Reviews and recommends to the Regional Council all major utility development plans. Addresses the location, size, or capacity, timing, and impact of facilities.

SANBAG Policy Committee Membership

COMMITTEE	PURPOSE	MEMBERSHIP	TERMS
Administrative Committee SANBAG President, Vice President, and Immediate Past President 3 East Valley (2 City, 1 County) 3 West Valley (2 City, 1 County) 3 Mt/Desert (2 City, 1 County) City members shall be SANBAG Board Members elected by caucus of city SANBAG Board Members within the subarea. Supervisors collectively select their representatives. The SANBAG Vice President shall serve as Chair of the Administrative Committee.	Makes recommendations to Board of Directors and: (1) Provides general policy oversight which spans the multiple program responsibilities of the organization and maintains the comprehensive organization integrity; (2) Provides policy direction with respect to administrative issues, policies, budget, finance, audit, and personnel issues for the organization; (3) Serves as policy review committee for any program area that lacks active policy committee oversight. Committee has authority to approve contracts of up to $25,000 with Board of Directors ratification to follow.	Paul Eaton, Montclair, Vice President (Chair) Gary Ovitt, Supervisor, President (Vice Chair) Vacant (Lawrence Dale, Barstow), Past President Paul Biane, Supervisor Pat Gilbreath, Grand Terrace Josie Gonzales, Supervisor Mike Leonard, Hesperia Brad Mitzelfelt, Supervisor Pat Morris, San Bernardino Gwenn Norton-Perry, Chino Hills Rick Roelle, Apple Valley Dennis Yates, Chino	6/30/2009 6/30/2009 6/30/2009 12/31/2009 12/31/2010 12/31/2009 12/31/2010 12/31/2008 12/31/2009 12/31/2009 12/31/2009 12/31/2010
Commuter Rail Committee Nine Valley-elected officials, four of who shall be the Southern California Regional Rail Authority primary (*) and alternate (**) members. The terms of appointments for SCRRA members and alternates shall be concurrent with their term on SCRRA. The four remaining members shall be SANBAG Board Members appointed by the SANBAG President for two-year terms.	Provides policy guidance and recommendations to the SANBAG Board of Directors and Southern California Regional Rail Authority delegates with respect to commuter rail service in San Bernardino County. * SCRRA Primary Member ** SCRRA Alternate Member	Pat Gilbreath, Redlands** (Chair) Paul Eaton, Montclair* (Vice Chair) Kelly Chastain, Colton Bea Cortes, Grand Terrace Neil Derry, Supervisor Larry McCallon, Highland Pat Morris, San Bernardino* John Pomierski, Upland Diane Williams, Rancho Cucamonga**	Indeterminate (6/30/2009) Indeterminate (6/30/2009) 12/31/2009 12/31/2010 12/31/2010 12/31/2010 Indeterminate 12/31/2009 Indeterminate
Mountain/Desert Committee Membership consists of SANBAG Board Members from each Mountain/Desert jurisdiction and County Supervisors representing the First and Third Districts.	Provides ongoing policy level oversight related to the full array of SANBAG responsibilities as they pertain specifically to the Mountain/Desert subregion. The Committee also meets as the Mountain/Desert Measure I Committee as it carries out responsibilities for Measure I Mountain/Desert Expenditure Plan.	Brad Mitzelfelt, Supervisor (Chair) Bill Jahn, Big Bear Lake (Vice Chair) Neil Derry, Supervisor Jim Harris, Twentynine Palms Mike Leonard, Hesperia Ryan McEachron, Victorville Julie McIntyre, Barstow William Neeb, Yucca Valley Trinidad Perez, Adelanto Rick Roelle, Apple Valley Jeff Williams, Needles	Indeterminate (6/30/2009) Indeterminate (6/30/2009) Indeterminate Indeterminate Indeterminate Indeterminate Indeterminate Indeterminate Indeterminate Indeterminate Indeterminate

SANBAG Policy Committee Membership

COMMITTEE	PURPOSE	MEMBERSHIP	TERMS
Major Projects Committee Membership consists of SANBAG Board Members from jurisdictions in the Valley and County Supervisors representing areas in the Valley.	Provides policy guidance and recommendations to the Board of Directors on issues related to the Measure I Major Projects in the Valley.	John Pomierski, Upland (Chair) Vacant (Grace Vargas, Rialto) (Vice Chair) Paul Biane, Supervisor Kelly Chastain, Colton Bea Cortes, Grand Terrace Neil Derry, Supervisor Paul Eaton, Montclair Pat Gilbreath, Redlands Josie Gonzales, Supervisor Larry McCallon, Highland Patrick Morris, San Bernardino Gwenn Norton-Perry, Chino Hills Mark Nuaimi, Fontana Gary Ovitt, Supervisor Richard Riddell, Yucaipa Rhodes "Dusty" Rigsby, Loma Linda Ed Scott, Rialto Alan Wapner, Ontario Diane Williams, Rancho Cucamonga Dennis Yates, Chino	Indeterminate (6/30/2009) Indeterminate (6/30/2009) Indeterminate Indeterminate Indeterminate Indeterminate Indeterminate Indeterminate Indeterminate Indeterminate Indeterminate Indeterminate Indeterminate Indeterminate Indeterminate Indeterminate Indeterminate Indeteminate Indeterminate Indeterminate
Plans & Programs Committee Membership consists of three city SANBAG Board Members from each of the West Valley, East Valley, and Mountain/Desert subregions and all County Supervisors. City members shall be elected by caucus of city SANBAG Board Members within the subarea.	Provides ongoing policy level oversight for: (1) State and federal funding and programming requirements and related actions; (2) Congestion Management Program, Comprehensive Transportation Plan, and input into the Regional Transportation Plans; and (3) Transit, Call Box, Rideshare, and Freeway Service Patrol programs. Committee has authority to approve contracts of up to $25,000 with notification to Board of Directors	Mark Nuaimi, Fontana (Chair) Paul Eaton, Montclair (Vice Chair) Paul Biane, Supervisor Bea Cortes, Grand Terrace Neil Derry, Supervisor Josie Gonzales, Supervisor Bill Jahn, Big Bear Lake Larry McCallon, Highland Brad Mitzelfelt, Supervisor William Neeb, Yucca Valley Gary Ovitt, Supervisor Richard Riddell, Yucaipa Rick Roelle, Apple Valley Diane Williams, Rancho Cucamonga	12/31/2009 (6/30/2009) 12/31/2010 (6/30/2009) Indeterminate 12/31/2009 Indeterminate Indeterminate 12/31/2009 12/31/2010 Indeterminate 12/31/2010 Indeterminate 12/31/2010 12/31/2010 12/31/2009

Policy Committee Meeting Times

Administrative Committee	Second Wednesday, 9:00 a.m., SANBAG Offices
Commuter Rail Committee	Third Thursday every other month following the SANBAG Board meeting (Odd Months), 12:00 noon, SANBAG Offices
Major Projects Committee	Second Thursday following the SANBAG Board meeting, 9:00 a.m., SANBAG Offices
Mountain/Desert Committee	Third Friday, 9:00 a.m., Apple Valley
Plans & Programs Committee	Third Wednesday, 12:00 noon, SANBAG Offices

SANBAG Policy Committee Membership

SANBAG Ad Hoc Committees

COMMITTEE	PURPOSE	MEMBERSHIP
Audit Subcommittee of the Administrative Committee In November 2008, the Board approved the creation of an Audit Subcommittee of the Administrative Committee to strengthen the financial oversight function of the Board. Additional SANBAG Board Members may be appointed annually at the discretion of the Board President.	The responsibilities of the Audit Subcommittee shall be to: • Provide a direct contact between the independent auditor and the Board of Directors before, during and after the annual audit. • Work with the auditor and SANBAG staff on reviewing and implementing practices and controls identified in the annual audit.	Audit Subcommittee - SANBAG President – Gary Ovitt, Supervisor - Vice President – Paul Eaton, Montclair - Immediate Past President – Vacant - Presidential Appointment – Pat Gilbreath, Redlands
Ad Hoc Committee to Review Council of Government Roles In June 2006, the SANBAG President appointed the committee.	Reviews SANBAG activities and Board Member requests related to SANBAG's role as a Council of Governments.	Kelly Chastain, Colton (Chair) Dennis Hansberger, SBCO, representing East Valley and Mountain/Desert Josie Gonzales, SBCO, representing the East Valley John Pomierski, Upland, representing West Valley and recognizing his position as Major Projects Committee Chair Pat Morris, San Bernardino, representing the East Valley Paul Eaton, Montclair, representing the West Valley and recognizing his position as Plans & Programs Committee Chair Vacant - Jim Lindley, Hesperia, representing Mountain/Desert and recognizing his position as Mountain/Desert Committee Vice Chair.
Ad Hoc Committee on Litigation with San Bernardino County Flood Control District (Colonies Development) In January 2007, the SANBAG President was authorized to appoint an ad hoc review committee of SANBAG Board Members who do not represent local jurisdictions party to the San Bernardino County Flood Control District vs. SANBAG litigation relative to the Colonies Development	Reviews and provides guidance on litigation with San Bernardino County Flood Control District (Colonies Development).	Pat Morris, San Bernardino, Chair Mark Nuaimi, Fontana Pat Gilbreath, Redlands Richard Riddell, Yucaipa Larry McCallon, Highland

AB	Assembly Bill
ACE	Alameda Corridor East
ACT	Association for Commuter Transportation
ADA	Americans with Disabilities Act
APTA	American Public Transportation Association
AQMP	Air Quality Management Plan
ATMIS	Advanced Transportation Management Information Systems
BAT	Barstow Area Transit
CAC	Call Answering Center
CALACT	California Association for Coordination Transportation
CALCOG	California Association of Councils of Governments
CALSAFE	California Committee for Service Authorities for Freeway Emergencies
CALTRANS	California Department of Transportation
CARB	California Air Resources Board
CEQA	California Environmental Quality Act
CHP	California Highway Patrol
CMAQ	Congestion Mitigation and Air Quality
CMP	Congestion Management Program
CNG	Compressed Natural Gas
COG	Council of Governments
CSAC	California State Association of Counties
CTA	California Transit Association
CTAA	Community Transportation Association of America
CTC	California Transportation Commission
CTC	County Transportation Commission
CTP	Comprehensive Transportation Plan
DMO	Data Management Office
DOT	Department of Transportation
E&H	Elderly and Handicapped
EIR	Environmental Impact Report
EIS	Environmental Impact Statement
EPA	United States Environmental Protection Agency
ETC	Employee Transportation Coordinator
FEIS	Final Environmental Impact Statement
FHWA	Federal Highway Administration
FSP	Freeway Service Patrol
FTA	Federal Transit Administration
FTIP	Federal Transportation Improvement Program
GFOA	Government Finance Officers Association
GIS	Geographic Information Systems
HOV	High-Occupancy Vehicle
ICMA	International City/County Management Association
ICTC	Interstate Clean Transportation Corridor
IEEP	Inland Empire Economic Partnership
ISTEA	Intermodal Surface Transportation Efficiency Act of 1991
IIP/ITIP	Interregional Transportation Improvement Program
ITS	Intelligent Transportation Systems
IVDA	Inland Valley Development Agency
JARC	Job Access Reverse Commute
LACMTA	Los Angeles County Metropolitan Transportation Authority
LNG	Liquefied Natural Gas
LTF	Local Transportation Funds
MAGLEV	Magnetic Levitation
MARTA	Mountain Area Regional Transportation Authority
MBTA	Morongo Basin Transit Authority
MDAB	Mojave Desert Air Basin
MDAQMD	Mojave Desert Air Quality Management District
MIS	Major Investment Study
MOU	Memorandum of Understanding

MPO	Metropolitan Planning Organization
MSRC	Mobile Source Air Pollution Reduction Review Committee
MTP	Metropolitan Transportation Plan
NAT	Needles Area Transit
OA	Obligation Authority
OCTA	Orange County Transportation Authority
OWP	Overall Work Program
PA&ED	Project Approval and Environmental Document
PASTACC	Public and Specialized Transportation Advisory and Coordinating Council
PDT	Project Development Team
PPM	Planning, Programming and Monitoring Funds
PSR	Project Study Report
PTA	Public Transportation Account
PVEA	Petroleum Violation Escrow Account
RCTC	Riverside County Transportation Commission
RDA	Redevelopment Agency
RFP	Request for Proposal
RIP	Regional Improvement Program
ROD	Record of Decision
RTAC	Regional Transportation Agencies' Coalition
RTIP	Regional Transportation Improvement Program
RTP	Regional Transportation Plan
RTPA	Regional Transportation Planning Agencies
SB	Senate Bill
SAFE	Service Authority for Freeway Emergencies
SANBAG	San Bernardino Associated Governments
SCAB	South Coast Air Basin
SCAG	Southern California Association of Governments
SCAQMD	South Coast Air Quality Management District
SCRRA	Southern California Regional Rail Authority
SED	Socioeconomic Data
SHA	State Highway Account
SHOPP	State Highway Operations and Protection Program
SOV	Single-Occupant Vehicle
SRTP	Short Range Transit Plan
STAF	State Transit Assistance Funds
STIP	State Transportation Improvement Program
STP	Surface Transportation Program
TAC	Technical Advisory Committee
TCM	Transportation Control Measure
TCRP	Traffic Congestion Relief Program
TDA	Transportation Development Act
TEA	Transportation Enhancement Activities
TEA-21	Transportation Equity Act for the 21st Century
TIA	Traffic Impact Analysis
TMC	Transportation Management Center
TMEE	Traffic Management and Environmental Enhancement
TOC	Traffic Operations Center
TOPRS	Transit Operator Performance Reporting System
TSM	Transportation Systems Management
USFWS	United States Fish and Wildlife Service
UZAs	Urbanized Areas
VCTC	Ventura County Transportation Commission
VVTA	Victor Valley Transit Authority
WRCOG	Western Riverside Council of Governments

San Bernardino Associated Governments

Governments
SANBAG
Working Together

MISSION STATEMENT

To enhance the quality of life for all residents, San Bernardino Associated Governments (SANBAG) will:

- Improve cooperative regional planning

- Develop an accessible, efficient, multi-modal transportation system

- Strengthen economic development efforts

- Exert leadership in creative problem solving

To successfully accomplish this mission, SANBAG will foster enhanced relationships among all of its stakeholders while adding to the value of local governments.

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